

EXHIBIT 1

Ronald Wilcox, Esq., State Bar No. 176601
2160 The Alameda, Suite F, First Floor
San Jose, CA 95126
Tel: (408) 296-0400
Fax: (408) 296-0486

ATTORNEY FOR PLAINTIFFS

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

IRMA SANCHEZ, JORGE SANCHEZ,
AND SOPHIA SANCHEZ,

Plaintiffs,

v.

CLIENT SERVICES, INC. AND KARLA
DAVIS,

Defendants.

CIV. NO. C06-06280 PVT

**NOTICE OF TAKING THE DEPOSITION
CLIENT SERVICES, INC.
THROUGH ITS DESIGNATED WITNESSES
PURSUANT TO FED. RULE CIV. P. 30(b)(6)**

Please take notice that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs Irma Sanchez, Jorge Sanchez, and Sophia Sanchez, by and through their counsel, will take the deposition of **Client Services, Inc.** through its officers, agents, employees or authorized persons most qualified to testify with respect to the matters described below. The deposition will be taken before an authorized court reporter on **February 28, 2007, beginning at 1:00 p.m. C.S.T. at Client Services, Inc., 3451 Harry S. Truman Blvd., St. Charles, MO 63301** and will

1 continue until completed. The deposition may be conducted telephonically and may be recorded
2 through stenographic and/or video means.

3 The designated witness(es) of Client Services, Inc. should be prepared to testify regarding
4 the following matters:

- 5 1. Client Services, Inc.'s communications relating to Plaintiffs;
- 6 2. The relationship between Client Services, Inc. and Plaintiffs;
- 7 3. The relationship between Client Services, Inc. and Discover Card;
- 8 4. Determination and calculation of the amounts sought by Client Services, Inc.;
- 9 5. Authority for the amounts claimed by Client Services, Inc.;
- 10 6. All collection notes and/or collection logs relating to Plaintiffs;
- 11 7. Documents sent to and/or received from Plaintiffs or anyone else regarding Plaintiffs;
- 12 8. Client Services, Inc.'s collection practices, procedures, methods, techniques and
13 strategies used by Client Services, Inc. in their efforts to collect debts from any person;
- 14 9. Client Services, Inc.'s investigation into the claims made by Plaintiffs in their Complaint;
- 15 10. The details and contents of all personnel files for the individuals that worked on
16 Plaintiff's alleged account;
- 17 11. Any and all other information related to the factual basis for Client Services, Inc.'s
18 Answer;
- 19 12. Any and all other information related to Client Services, Inc.'s defenses contained in their
20 Answer;
- 21 13. Any bona fide error defense Client Services, Inc. may have with regard to the allegations
22 set forth in the Complaint;
- 23
24
25

1 14. The lack of intent by Client Services, Inc. to violate the Fair Debt Collection Practices
2 Act;

3 15. The lack of intent by Client Services, Inc. to violate the California's Rosenthal Fair Debt
4 Collection Practices Act;

5 16. The phone systems of Client Services, Inc. and monitoring and recording of telephone
6 calls;

7 17. The telephone system(s), local and long distance services used by Client Services, Inc.
8 and their employees in the course of their business or in the course of collecting accounts;

9 18. The long distance telephone provider used to make calls relating to the herein account;

10 19. The management, supervision, and discipline of Client Services, Inc. and its collection
11 employees;

12 20. The maintenance of procedures by Client Services, Inc. to avoid violations of the Fair
13 Debt Collection Practices Act;

14 21. The maintenance of procedures by Client Services, Inc. to avoid violations of the
15 California's Rosenthal Fair Debt Collection Practices Act;

16 22. The maintenance of procedures by Client Services, Inc. to avoid violations of the
17 California Rosenthal Fair Debt Collection Practices Act;

18 23. The methods, practices, techniques, and strategies used by Client Services, Inc. in
19 training their collection employees;

20 24. All correspondence to and from the current creditor relating to this account;

21 25. All documentation methods, if any, whether computerized, manual, or other, of all
22 activities undertaken by Client Services, Inc. or their employees related to the collection
23 of accounts;
24
25

1 26. The history, specific details, and resolution of any formal and informal complaints, Better
2 Business Bureau Complaints, lawsuits, regulatory actions, claims, litigations, mediations,
3 arbitrations, or other actions, legal or otherwise, connected to or arising out of Client
4 Services, Inc.'s business, in the period from three (3) years prior to the date of this notice
5 to the present;

6 27. Any and all other information related to Plaintiffs' claims against Client Services, Inc.;

7 28. All documents produced to Plaintiffs by Client Services, Inc. in the course of this case;

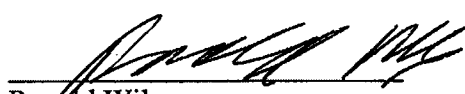
8 29. All documents relating to Plaintiffs; and

9 30. All documents regarding the above matters, including, but not limited to, contracts or
10 agreements between Client Services, Inc. and Discovery Card; all policy, procedure and
11 training manuals, memoranda and other writings regarding collection activities of Client
12 Services, Inc. which were in effect and used from January 1, 2005 to the present, and
13 phone billing records relating to Plaintiff's account.
14

15 **And bring with you:**

16 All documents responsive to the Request for Production of Documents and documents
17 related to the paragraphs referenced immediately above.

18
19 Date: 2/7/07



Ronald Wilcox
Attorney at Law
2160 The Alameda, Suite F
San Jose, CA 95126
Tel: 408-296-0400
Fax: 408-296-0486

23 ATTORNEY FOR PLAINTIFFS
24
25

CERTIFICATE OF SERVICE

I, Marion Ramel, hereby certify that on February 7, 2007 the foregoing document was sent by facsimile and first class U.S. Mail to:

Phuong H. Nguyen, Esq.
Hayes, Davis, Bonino, Ellingson, McLay & Scott
203 Redwood Shores Parkway, Suite 480
Redwood Shores, CA 94065
Fax: (650) 637-8071

ATTORNEY FOR DEFENDANT CLIENT SERVICES, INC.

Executed on February 7, 2007, in San Jose, California.


Marion Ramel

EXHIBIT 2

1 Ronald Wilcox, Esq., State Bar No. 176601
2 2160 The Alameda, Suite F, First Floor
3 San Jose, CA 95126
4 Tel: (408) 296-0400
Fax: (408) 296-0486

5 ATTORNEY FOR PLAINTIFFS

6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN JOSE DIVISION**

8 IRMA SANCHEZ, JORGE SANCHEZ,
9 AND SOPHIA SANCHEZ,

CIV. NO. C06-06280 PVT

10 Plaintiffs,

11 v.

12 CLIENT SERVICES, INC. AND KARLA
13 DAVIS,

14 Defendants.

15 **NOTICE OF DEPOSITION OF KARLA DAVIS**


16
17 **To:** Phuong H. Nguyen, Esq.
18 Hayes, Davis, Bonino, Ellingson, McLay & Scott
19 203 Redwood Shores Parkway, Suite 480
Redwood Shores, CA 94065
Fax: (650) 637-8071

20 **PLEASE TAKE NOTICE THAT** we shall take the deposition of Karla Davis on
21 **February 28, 2007 at 9:00 a.m. C.S.T.** The deposition shall proceed at **Client Services, Inc.,**
22 **3451 Harry S. Truman Blvd., St. Charles, MO 63301.** The deposition may be recorded by
23 audio and/or video.

24 The deposition shall be taken pursuant to notice and shall continue from that time until
25 complete.

1 A list of all parties or attorneys for parties on whom this Notice of Deposition is being
2 served is shown on the accompanying Certificate of Service.

3
4 Date: 2/7/07


5 Ronald Wilcox

6 Attorney at Law
7 2160 The Alameda, Suite
8 San Jose, CA 95126
9 Tel: 408-296-0400
10 Fax: 408-296-0486

11 ATTORNEY FOR PLAINTIFFS
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CERTIFICATE OF SERVICE

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Hayes, Davis, Bonino, Ellingson, McLay & Scott
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Redwood Shores, CA 94065
Fax: (650) 637-8071

ATTORNEY FOR DEFENDANT CLIENT SERVICES, INC.

Executed on February 7, 2007, in San Jose, California.


Marion Ramel

EXHIBIT 3

From: "Stephen A. Scott" <sscott@hayesdavis.com>
Subject: **Sanchez v. Client Services**
Date: January 26, 2007 5:12:43 PM CST
To: "greg walker" <gwalker@rawbw.com>
Cc: <ronaldwilcox@mac.com>, "Peter Barry" <pbarry@lawpoint.com>

Mr.. Walker,

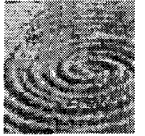
This will confirm that we are available for mediation on either March 2nd or March 30th. After our joint telephone conference yesterday, plaintiffs' counsel and I discussed deposition scheduling and it appears that the best (if not only) time that we can take depositions of Client Service witnesses in St. Louis are Feb. 28, March 1 and 2. Ron and Pete indicated they wanted to complete these depositions before the mediation. We have scheduled the 3 plaintiff depositions for Feb. 9 in San Jose.

I believe all counsel agree that it would better to conduct the mediation on March 30, but this is after the court's March 22 deadline to complete mediation and we would likely need an order from the court to do this. Perhaps you could accomplish this in your mediator capacity. I am open to suggestions as to how we should proceed. Thank you.

Stephen A. Scott
Hayes Davis Bonino Ellingson McLay & Scott
203 Redwood Shore Pkwy Suite 480
Redwood Shores, Ca 94065
(650) 486-2867 (Direct)
(650) 637-8071 (Fax)
(408) 204-1716 (Cell)
sscott@hayesdavis.com

EXHIBIT 4

From: Ronald Wilcox <ronaldwilcox@post.harvard.edu>
Subject: **Sanchez v. CSI, travel for depositions in St. Louis**
Date: February 4, 2007 1:40:27 PM CST
To: Pete Barry <pbarry@lawpoint.com>
Cc: Carmel Payne <carmelfpayne@yahoo.com>
4 Attachments, 0.6 KB



Vacation Package: San Francisco to St. Louis

Flight: San Francisco to St. Louis

Traveler name: Ronald Wilcox

San Francisco to St. Louis	2/27/07	12:30 pm - 6:10 pm	American Airlines
St. Louis to San Francisco	3/02/07	5:00 pm - 7:25 pm	American Airlines

Hotel: Embassy Suites - St. Charles

Room reservation: Ronald Wilcox - 1 adult

Embassy Suites - St. Charles

Check in: Tue 2/27/2007

Check out: Fri 3/2/2007

Nights: 3

Car: Hertz, St. Louis, MO (STL)

Driver: Ronald Wilcox

Economy Car

Pick up: Tue Feb-27-2007 6:00 pm

Drop off: Fri Mar-2-2007 5:00 pm



[View your complete trip details](#)

Total*: \$932.56

EXHIBIT 5

From: travel@expedia.com
 Subject: **Expedia travel confirmation - St Charles, MO - Feb 27, 2007 - (Itin# 118700369089)**
 Date: February 4, 2007 2:26:00 PM CST
 To: pbarry@lawpoint.com

Travel Confirmation

Thank you for booking your trip with Expedia.com. This email is your receipt for the travel item(s) you just booked; an itinerary that includes up-to-date trip details will follow in the next 4 days.

Remember that you can always [view your itinerary online](#) for the most up-to-date information. Our [interactive demo](#) can show you how easy it is to get information about your itinerary.

ThankYouSM account number: [Add your ThankYou account number](#)

You could earn **821** ThankYou Points for this trip.

[Learn about ThankYou Network](#)



Minneapolis to St. Louis					Package booking cost:	\$708.16
Flight: Minneapolis to St. Louis					Taxes & regulatory surcharges:	\$112.81
Traveler name: Peter Barry					Package total:	\$820.97
Minneapolis to St. Louis	2/27/07	4:30 pm - 6:06 pm	Northwest			
St. Louis to Minneapolis	3/02/07	6:46 pm - 8:21 pm	Northwest			
Hotel: Embassy Suites - St. Charles						
Room reservation: Peter Barry - 1 adult						
Embassy Suites - St. Charles						
Check in: Tue 2/27/2007		Check out: Fri 3/2/2007		Nights: 3		

Special requests

We will forward your requests to the travel vendor, but as these are subject to availability we can not guarantee that they will be honored. Some special requests (e.g., ski racks, rollaway beds) may incur additional charges from the vendor.

Hotel: Embassy Suites - St. Charles

Room : Suite - King Bed-Non Refundable

Nonsmoking/Smoking: Non-Smoking

Room type: 1 KING BED

Other Special requests: Non-smoking only, please. 2-3 extra pillows. Thanks.

➔ [View your itinerary](#) for complete and up-to-date trip details, or to make changes online.

Customer Support

Itinerary number: 118700369089

If you have questions about your reservation, fill out our [itinerary assistance form](#). We'll respond within 24 hours: For immediate assistance call Expedia.com at 1-800-EXPEDIA (1-800-397-3342) or 1-404-728-8787 and have the itinerary number ready.

What else can we help you with?

Save on Activities & Services in St. Louis



- [Sightseeing](#)
- [Dining options](#)
- [Ground transportation](#)
- [Attraction passes](#)

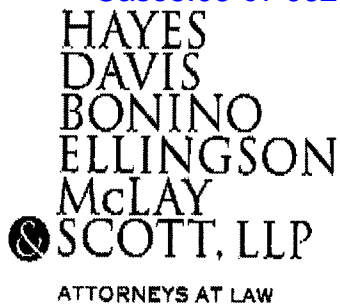
[↻ Search for more activities & services](#)

 Want to know about great travel deals? [Sign up](#) to receive Expedia emails!

Thank you for choosing Expedia.com. Enjoy your trip.™

<http://www.expedia.com>

EXHIBIT 6



203 Redwood Shores Parkway, Suite 480
Redwood Shores, California 94065
Telephone: 650.637.9100
Telephone: 650.637.9100
Facsimile: 650.637.8071
www.hayesdavis.com

FACSIMILE COVERSHEET

Date: February 5, 2007

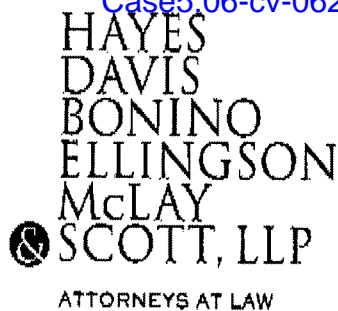
NAME	FAX NO.	PHONE NO.
Ronald Wilcox L/O of RONALD WILCOX	408.296.0486	408.296.0400
Pete Barry BARRY & SLADE, LLC	612.379.8810	612.379.8800

FROM:	Stephen A. Scott	PHONE:	650.637.9100
RE:	<u>SANCHEZ v. CLIENT SERVICES</u>	# PAGES:	3
SENT BY:	Conrad McKinney	PHONE:	650.637.9100

Comments:

Please see attached correspondence dated today sent via facsimile; will follow US Mail.

THE DOCUMENTS ACCOMPANYING THIS FACSIMILE TRANSMISSION CONTAIN INFORMATION FROM THE LAW FIRM OF HAYES, DAVIS, BONINO, ELLINGSON, McLAY & SCOTT LLP WHICH IS CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED TO BE FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMISSION SHEET. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS FAXED INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THE ORIGINAL DOCUMENTS AT NO COST TO YOU.



203 Redwood Shores Parkway, Suite 480
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February 5, 2007

SENT VIA FACSIMILE and US MAIL

Ronald Wilcox
Law Office of Ronald Wilcox
2160 The Alameda, 1st Floor, Suite F
San Jose, CA 95126

Pete Barry
Barry & Slade, LLC.
2021 East Hennepin Avenue, Suite 195
Minneapolis, MN 55413-2700

Re: Sanchez v. Client Services

Dear Counsel:

As discussed with Ron in December and more recently during our January, 2007 telephone conference, we would like to explore settlement of this case prior to incurring significant litigation expense. Although requested, we have not yet received a settlement demand from you.

You have requested depositions of Client Service witnesses to take place in St. Louis between February 28 and March 2, 2007. Although you certainly have the legal right to this discovery, given the nature of this case, we do not believe these depositions are necessary to reach a reasonable settlement. We have already produced copies of transaction notes regarding contact with your clients and as you know, from experience in other similar cases, it is not likely that the debt collector witnesses will have an independent recollection of contact with your clients other than what is noted in these records. I also do not believe this discovery is necessary prior to mediation of the case.

We do not want plaintiffs' attorney's fees to be the largest item of damage in the case. We look forward to hearing from you.

HAYES
DAVIS
BONINO
ELLINGSON
McLAY
& SCOTT, LLP

ATTORNEYS AT LAW

Page 2

Very Truly Yours,


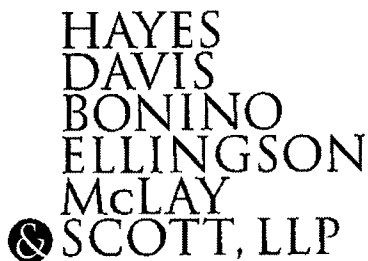
 for Stephen Scott
Stephen A. Scott

EXHIBIT 7



ATTORNEYS AT LAW

203 Redwood Shores Parkway, Suite 480
Redwood Shores, CA 94065
Telephone: 650.637.9100
Facsimile: 650.637.8071
www.hayesdavis.com

February 22, 2007

SENT VIA FACSIMILE/ EMAIL and US MAIL

Ronald Wilcox
Law Office of Ronald Wilcox
2160 The Alameda, 1st Floor, Suite F
San Jose, CA 95126

Pete Barry
Barry & Slade, LLC.
2021 East Hennepin Avenue, Suite 195
Minneapolis, MN 55413-2700

Re: Sanchez v. Client Services

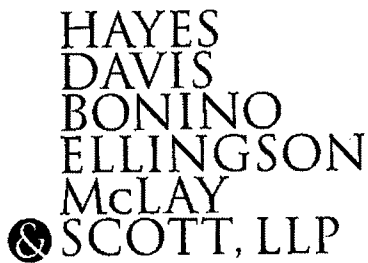
Dear Ron and Pete:

This letter addresses the depositions of Client Service employees that you have noticed for next week.

First, we have obtained Karla Davis' agreement to travel from St. Joseph, Missouri to the Client Services offices in St. Charles for her deposition. She will be available for deposition on Friday morning, March 2.

As indicated in my voicemail message to Ron earlier this week, in reviewing the collector notes, of which you have been provided a copy (CSI 001-005), the only collector who had any contact with your clients within the one year period from the filing of your complaint, was Karla Davis. This is consistent with the allegations in your complaint as well as your clients' deposition testimony. Therefore, we will object and will not produce for deposition the other collectors who you have noticed because their contact with your clients' was more than one year from the filing of the complaint. (See *Clark v. Transpack Corp.* 2005 WL 3080853 (E.D.Cal., 2005) and *Kaplan v. Assetcare, Inc.* (S.D.Fla., 2000) 88 F.Supp.2d 1355).

The Client Service 30(b)(6) witness is available for deposition on Thursday, March 1, or Friday if you believe that you can complete the Davis and 30(b)(6) depositions in one day. Regarding the subject areas contained in your 30(b)(6) Notice, we have the following objections:



ATTORNEYS AT LAW

Page 2

- Any investigation referred to in Category No. 9 was performed after the complaint was filed and is protected by attorney-client and attorney work product privileges.
- Regarding personnel files referred to in Category No. 10, we will agree to produce that portion of Karla Davis' personnel file which deals with any disciplinary action or complaints, but otherwise the documents are privileged from discovery by Ms. Davis' right to privacy.
- We object to Category No. 26 on the basis that it is vague and ambiguous, burdensome and oppressive, overbroad and is not calculated to lead to the discovery of admissible evidence.
- We object to the production of the documents referred to in Category No. 30 to the extent that it requests contracts and agreements between Client Services and Discover Card which are confidential and proprietary information.

Please contact me should you wish to discuss the foregoing. I am in deposition all day tomorrow (Friday), but my associate Charles Tillage will be available to discuss the matter, should you choose. I am in the office all day Monday, February 26, should you wish to discuss the matter at that time.

Thank you.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "SAS", written over the typed name Stephen A. Scott.

Stephen A. Scott